

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY *[Signature]* D.C.  
05 NOV 28 AM 6: 53

MARK CHRISTOPHER OBERT and  
LESLEY OBERT,

THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
W/D OF TN, MEMPHIS

Plaintiffs,

v.

Case No. 03-2135 DV

THE PYRAMID, et al

Defendants.

---

**CONSENT ORDER OF DISMISSAL WITH PREJUDICE**

---

Came the parties through their respective counsel and announced to the Court that the matters and things in controversy in this cause have been amicably settled and that all the Plaintiffs' causes of action against all the Defendants should be dismissed with prejudice and the costs of this cause adjudged to the Defendants.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that all causes of action of Mark Christopher Obert and Lesley Obert against all the Defendants are hereby dismissed with prejudice. The costs of this cause due to the Clerk are assessed to the Defendants as follows: City of Memphis 53%, County of Shelby 13% and SMG 34%. Each party to bear their own discretionary costs and attorneys' fees and no cost bill shall be filed by any party.

*[Signature]*  
JUDGE

Date: *November 25, 2005*

This document entered on the docket sheet in compliance  
with Rule 58 and/or 79(a) F.R.C.P. on *11/26/05*

(69)

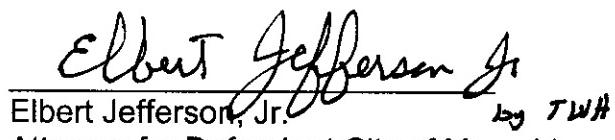
APPROVED:



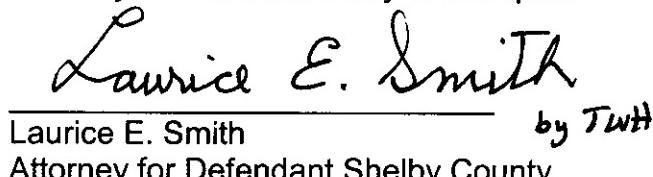
Sara Falkingham-Maxwell  
Attorney for Plaintiff



Tim Wade Hellen  
Attorney for Defendant SMG

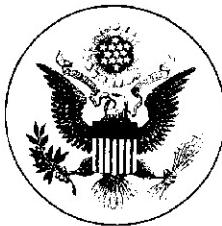
  
Elbert Jefferson, Jr. *by TWH*

Attorney for Defendant City of Memphis

  
Laurice E. Smith *by TWH*

Laurice E. Smith  
Attorney for Defendant Shelby County

G:\DATA\TWH\Amer Specialty\smg\Obert\dismiss.order.district.wpd



# Notice of Distribution

This notice confirms a copy of the document docketed as number 169 in case 2:03-CV-02135 was distributed by fax, mail, or direct printing on November 28, 2005 to the parties listed.

---

Leo Maurice Bearman  
BAKER DONELSON BEARMAN CALDWELL & BERKOWITZ  
165 Madison Ave.  
Ste. 2000  
Memphis, TN 38103

Edward Hugh Burrell  
ARMSTRONG ALLEN, PLLC  
80 Monroe Avenue  
Ste. 700  
Memphis, TN 38103--246

Sara Margaret Falkingham  
ARMSTRONG ALLEN, PLLC  
80 Monroe Avenue  
Ste. 700  
Memphis, TN 38103--246

Laurice E. Smith  
LAW OFFICE OF LAURICE E. SMITH  
2693 Union Ave.  
Ste. 200  
Memphis, TN 38112

Elbert Jefferson  
CITY ATTORNEY'S OFFICE  
125 N. Main Street  
Ste. 314  
Memphis, TN 38103

Eugene J. Podesta  
BAKER DONELSON BEARMAN CALDWELL & BERKOWITZ  
165 Madison Ave.  
Ste. 2000  
Memphis, TN 38103

Tim Wade Hellen  
FARRIS MATHEWS BRANAN BOBANGO HELLEN & DUNLAP, PLC  
One Commerce Square  
Ste. 2000  
Memphis, TN 38103

Michael B. Neal  
ARMSTRONG ALLEN, PLLC  
80 Monroe Avenue  
Ste. 700  
Memphis, TN 38103--246

J. Phillip Kerley  
BREAKSTONE & ASSOCIATES  
200 Jefferson Ave.  
Ste. #725  
Memphis, TN 38103

Alan Harkavy  
HARKAVY SHAINBERG KAPLAN & DUNSTAN, PLC  
6060 Poplar Ave.  
Ste. 140  
Memphis, TN 38119

Honorable Bernice Donald  
US DISTRICT COURT